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J. ROGER WOOD, TRUSTEE, PRIVAT
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MANUFACTURING, INC., a Toronto
Corporation; and HYDRAUX
MANUFACTURING, INC., a Nevada
Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

J. ROGER WOOD, TRUSTEE, PRIVAT
FAMILIE TREUHAND; HYDRAUX
MANUFACTURING, INC., a Toronto
Corporation; and HYDRAUX
MANUFACTURING, INC., a Nevada
Corporation,

Plaintiffs,

v.

TORONTO-DOMINION BANK; TD
WATERHOUSE CANADA, INC., f/k/a TD
WATERHOUSE INVESTOR SERVICES
(CANADA), INC.; and DOES 1 through 25,
inclusive,

Defendants.

No. C 07-0016 MJJ MED

Action Filed: October 6, 2006

STIPULATED REQUEST AND
~~PROPOSED~~ ORDER SHORTENING TIME
TO HEAR MOTION TO COMPEL
PRODUCTION OF TAPE RECORDED
CONVERSATIONS

Date: December 4, 2007
Time: 9:30 a.m.
Judge: Hon. Martin J. Jenkins
Courtroom: 11, 19th Floor

Disc. Cutoff: December 5, 2007
Trial Date: March 17, 2008

DISCOVERY MATTER

STIPULATED REQUEST FOR ORDER SHORTENING TIME

Pursuant to Local Rules 6-2 and 7-12, Plaintiffs J. ROGER WOOD, TRUSTEE, PRIVAT FAMILIE TREUHAND; HYDRAUX MANUFACTURING, INC., a Toronto Corporation; and HYDRAUX MANUFACTURING, INC., a Nevada Corporation and Defendants TORONTO-DOMINION BANK and TD WATERHOUSE CANADA, INC., f/k/a TD WATERHOUSE INVESTMENT SERVICES CANADA, INC. request that the Court hear Plaintiffs' concurrently filed Motion To Compel Production Of Tape Recorded Conversations on December 4, 2007 at 9:30 a.m., with Defendants to file their opposition on or before November 28, 2007, and Plaintiffs to file a reply, if any, on or before November 30, 2007.

STIPULATION

WHEREAS, on November 14, 2007, a discovery dispute arose between the parties relating to Defendants' search for and production of tape recorded telephone conversations of employees of TD Waterhouse's Credit Department;

WHEREAS, under the current scheduling order, fact discovery is required to be completed by December 5, 2007;

WHEREAS, if Defendants were ordered to search for additional tape recorded conversations it would take some time to comply with the order;

NOW THEREFORE, Plaintiffs and Defendants hereby stipulate that (1) Plaintiffs' Motion To Compel Production Of Tape Recorded Conversations will be heard on shortened time on December 4, 2007 at 9:30 a.m.; (2) Defendants will file their opposition on or before November 28, 2007; and (3) Plaintiffs will file a reply, if any, on or before November 30, 2007.

By stipulating to the expedited schedule, Defendants are in no way indicating that they agree with the merits of Plaintiffs' proposed motion, and in fact intend to vigorously oppose it. Nothing contained herein shall be deemed a waiver of any party's rights.

1 DATED: November 21, 2007

LAW OFFICES OF ALAN W. SPARER

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3 By: _____/s/
ALAN W. SPARER

4 Attorneys for Plaintiffs

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6 Concurrence in the filing of this document has been obtained by each of the other signatories.

7 DATED: November 21, 2007

KEESAL, YOUNG & LOGAN

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9 By: _____/s/
CARA MEREDITH

10 Attorneys for Defendants

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16 **ORDER**

17 This Court, having reviewed this Stipulation of the parties, and good cause appearing
18 therefor, orders that Plaintiffs' Motion To Compel Production of Tape Recorded Conversations
19 will be heard on shortened time on December 4, 2007 at 9:00 a.m. Defendants will file their
20 opposition on or before November 28, 2007, and Plaintiffs will file a reply, if any, on or before
21 November 30, 2007.

22 IT IS SO ORDERED.

23
24 DATED: 11/27, 2007

